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DEC 12 2008

In re Application of	:	
Thorsten Burger	:	
Application No. 09/465,676	:	DECISION ON PETITION
Filed: December 17, 1999	:	PURSUANT TO
Attorney Docket No. 247.1009	:	37 C.F.R. § 1.181(A)
Title: METHOD AND SYSTEM FOR	:	
TRANSMITTING DATA FOR A	:	
SECURITY SYSTEM OF A MOTOR	:	
VEHICLE	:	

This is a decision on the petition pursuant to 37 C.F.R. § 1.181(a) to withdraw the holding of abandonment, filed on April 18, 2008.

The Change of Correspondence Address received on August 21, 2008 has been entered and made of record.

The above-identified application became abandoned for failure to submit corrected drawings in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed February 4, 2005, which set a shortened statutory period for reply of three months.¹ No extensions of time are permitted for transmitting formal drawings.² Accordingly, the above-identified application became abandoned on May 5, 2005. A Notice of Abandonment was mailed on August 3, 2005.

With this petition, Petitioner has asserted that that corrected drawings were submitted concurrently with the issue fee on May 2, 2005. Petitioner has submitted both a copy of this response and a postcard receipt that establishes that "dgs. 8.5" X 11" /

¹ It is noted that the issue fee was timely received on May 2, 2005.

² See MPEP §710.02(e).

Decision on Petition pursuant to 37 C.F.R. § 1.181(a)

A4 size, 2 soft/ 2 sheets FIG(S)" was received in the Office on May 2, 2005.³

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that a response was timely submitted. It appears that this submission was subsequently misplaced in the Office.

Accordingly, the petition under 37 C.F.R. § 1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

Pursuant to this decision, the Office of Patent Publication will be notified of this decision so that the drawings submitted concurrently with this petition can be processed, and so that this application can be processed into a patent.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the withdrawal of the holding of abandonment has been acknowledged by the Office of Patent Publication in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Office of Patent Publication where that change of status must be effected - the Office of Petitions cannot effectuate a change of status.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.⁴ All other inquiries concerning the status of the application should be directed to the Office of Patent Publication at 571-272-4200.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

³ It is noted in passing that Petitioner has also submitted a certificate of mailing, however this certificate has not been executed.

⁴ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.